

#18

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in
an envelope addressed to:

PATENT
Attorney Docket No.: 018941-001400US
Client Ref. No.: B 2001-51



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On May 19, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Joy M. Mandell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yong-Hwan Moon et al.

Application No.: 09/828,068

Filed: April 6, 2001

For: NUCLEIC ACIDS THAT
CONTROL REPRODUCTIVE
DEVELOPMENT IN PLANTS

Examiner: S. Baum

Art Unit: 1638

DECLARATION OF Z. RENEE SUNG,
PH.D. UNDER 37 C.F.R. §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Z. Renee Sung, Ph.D., being duly warned that willful false statements and the like are punishable by fine or imprisonment or both (18 U.S.C. § 1001), and may jeopardize the validity of the patent application or any patent issuing thereon, state and declare as follows:

1. All statements herein made of my own knowledge are true, and statements made on information or belief are believed to be true and correct.

2. I am a named inventor of the present patent application. I received my Ph.D. in the field of Plant Physiology from the University of California, Berkeley in 1973. I am currently a professor in the Department of Plant and Microbial Biology at the University of California, Berkeley.

3. My laboratory has analyzed the effect of altered OsEMF1 expression on plant flowering. The coding sequence of the OsEMF1 gene was linked to the ubiquitin (UBQ) promoter in both sense and antisense orientations. The resulting constructs were introduced into rice plants.

4. The UBQ::antisense OsEMF1 rice displayed a variety of heights and displayed earlier heading (flowering) time than wildtype plants. This result is very similar to results we have previously observed in Arabidopsis plants harboring 35S::antisense EMF1.

5. For some UBQ::sense OsEMF1 rice plants, we observed earlier heading, similar to what we have observed in Arabidopsis plants harboring 35S::sense EMF1. These results indicate that cosuppression of OsEMF1 is also effective to reduce flowering time in plants.

Date: May 12, 2003

By: Z. Renee Sung
Z. Renee Sung, Ph.D.